

# **EXHIBIT 1**

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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN JOSE DIVISION

18 CISCO SYSTEMS, INC.,

19 Case No. 5:14-cv-05344-BLF (PSG)

20 Plaintiff,

21 **DEFENDANT ARISTA NETWORKS,  
22 INC.'S NOTICE OF RULE 30(b)(6)  
23 DEPOSITION OF PLAINTIFF CISCO  
24 SYSTEMS, INC.**

25 v.

26 ARISTA NETWORKS, INC.,

27 Defendant.  
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1           **PLEASE TAKE NOTICE** that pursuant to Rules 26 and 30(b)(6) of the Federal Rules of  
 2 Civil Procedure and Civil L.R. 30, the Court's Corrected Case Management Order, and any other  
 3 applicable orders or standing orders, Defendant Arista Networks, Inc. ("Arista") will take the  
 4 testimony upon oral deposition of Plaintiff Cisco Systems, Inc. ("Cisco"), through one or more of  
 5 its officers, directors, managing agents, or other persons designated and consenting to testify on  
 6 the matters listed in **ATTACHMENT A**.

7           The deposition will commence on February 15, 2016, or a mutually agreeable date  
 8 thereafter, at the law offices of **Keker & Van Nest LLP, 633 Battery Street, San Francisco,**  
 9 **California 94111** at 9:00 a.m. each day, before a court reporter or other officer authorized to  
 10 administer oaths. The deposition will continue day to day until completed, will be conducted in  
 11 accordance with the Federal Rules of Civil Procedure, and will be recorded by stenographic and  
 12 videographic means, including real-time transcription.

13           At least seven days before the deposition, Cisco shall produce a list of proposed witnesses  
 14 designated to testify for each topic identified in **ATTACHMENT A**. Cisco shall also  
 15 affirmatively describe the scope of testimony that each such witness will be prepared to provide  
 16 for each of that witness's designated topics.

17           Arista hereby reserves the right to notice and depose Cisco pursuant to Rule 30(b)(6) of  
 18 the Federal Rules of Civil Procedure at a later date on other subject matters, as agreed upon by the  
 19 parties.

20           Dated: January 19, 2016

KEKER & VAN NEST LLP

21           By: /s/ Brian L. Ferrall  
 22           ROBERT A. VAN NEST  
 23           BRIAN L. FERRALL  
 24           DAVID SILBERT  
 25           MICHAEL S. KWUN

26           Attorneys for Defendant ARISTA  
 27           NETWORKS, INC.

## 1 ATTACHMENT A

2 **DEFINITIONS AND INSTRUCTIONS**

3 1. "CISCO," "YOU," and "YOUR" means Cisco Systems, Inc. and all affiliate,  
4 parent, predecessor, subsidiary, and successor corporations, any joint venture to which it may be a  
5 party, and all agents, attorneys, accountants, consultants, directors, employees, and officers  
6 thereof, including any person who has served in any such capacity at any time.

7 2. "ARISTA" means Arista Networks, Inc. and all affiliate, parent, predecessor,  
8 subsidiary, and successor corporations, any joint venture to which it may be a party, and all  
9 agents, attorneys, accountants, consultants, directors, employees, and officers thereof, including  
any person who has served in any such capacity at any time.

10 3. "THIS LITIGATION" means the matter captioned *Cisco Systems, Inc. v. Arista*  
11 *Networks, Inc.*, Case No. 5:14-cv-05344-BLF (PSG), pending in the United States District Court  
12 for the Northern District of California.

13 4. "SECOND AMENDED COMPLAINT" means the document entitled "SECOND  
14 AMENDED COMPLAINT FOR COPYRIGHT AND PATENT INFRINGEMENT" filed on July  
15 23, 2015 as Docket Number 64 in THIS LITIGATION, and all exhibits and attachments thereto.  
16 If YOU are permitted to file an amended pleading that supersedes the SECOND AMENDED  
17 COMPLAINT, then this term shall refer to the version of the complaint that is operative at the  
time of the deposition.

18 5. "'526 PATENT" means United States Patent No. 7,047,526, as well as any and all  
19 parents, continuations, continuations-in-part, or divisional relating thereto.

20 6. "'886 PATENT" means United States Patent No. 7,953,886, as well as any and all  
21 parents, continuations, continuations-in-part, or divisional relating thereto.

22 7. "COPYRIGHTED WORKS" means each and every alleged copyrighted work, and  
23 each and every asserted aspect thereof, that CISCO contends has been and/or is being infringed  
24 by Arista in THIS LITIGATION.

1        8.        “ASSERTED PATENT(S)” means the ’526 PATENT and the ’886 PATENT.  
 2        The term “ASSERTED PATENTS” includes each patent individually and the patents collectively  
 3        so as to give the associated topics the broadest possible scope.

4        9.        “NAMED INVENTORS” means Anil Bansal, Prakash Bettadapur, Paul Mustoe,  
 5        Jung Tjong, Sastry Varanasi, Jeffrey Wheeler, the named inventors of the ASSERTED  
 6        PATENTS.

7        10.        “ACCUSED ’526 PRODUCTS” means all products, including all versions,  
 8        features, and functionality thereof, that CISCO contends infringes the ’516 PATENT in THIS  
 9        LITIGATION.

10        11.        “ACCUSED ’886 PRODUCTS” means all products, including all versions,  
 11        features, and functionality thereof, that CISCO contends infringes the ’886 PATENT in THIS  
 12        LITIGATION.

13        12.        “ACCUSED PRODUCTS” means the ACCUSED ’526 PRODUCTS, the  
 14        ACCUSED ’886 PRODUCTS, and all products, including all versions, features, and functionality  
 15        thereof, that CISCO contends infringes its COPYRIGHTED WORKS in THIS LITIGATION.

16        13.        “IETF” means The Internet Engineering Task Force, which is an organized  
 17        activity of the Internet Society (ISOC).

18        14.        “RFC” means “Request for Comments,” which is a type of publication from the  
 19        IETF and the Internet Society, the principal technical development and standards-setting bodies  
 20        for the Internet.

21        15.        “IEEE” means Institute of Electrical and Electronics Engineers.

22        16.        “EOS” means any Arista operating system that CISCO contends infringes the  
 23        ASSERTED PATENTS and/or its COPYRIGHTED WORKS in THIS LITIGATION, including  
 24        the “Extensible Operating System” software, and all versions, parts, and subparts thereof,  
 25        including any source code, software applications, application programming interfaces (APIs), and  
 26        extensions thereof. “EOS” as defined herein should also include EOS+ to the extent Cisco  
 27        accuses it of infringing the ASSERTED PATENTS and/or COPYRIGHTED WORKS in THIS  
 28        LITIGATION.

1        17. “IOS” means the Internetwork Operating System provided by Cisco on Cisco  
2 products, including IOS, IOS XR, and IOS XE and including all versions, parts and subparts,  
3 including any source code, software applications, application programming interfaces (APIs), and  
4 extensions thereof.

5        18. “NX-OS” means the Nexus Operating System provided by Cisco on Cisco  
6 products, including NX-OS and including all versions, parts and subparts, including any source  
7 code, software applications, application programming interfaces (APIs), and extensions thereof.

8        19. “Cisco IOS” means any Cisco operating system, including any source code,  
9 software applications, application programming interfaces (APIs), and extensions thereof, and  
10 including both “IOS” and “NX-OS.”

11        20. “CLI” means command-line interface.

12        21. “Cisco CLI” means the command-line interface used with and supported by any  
13 version of Cisco IOS.

14        22. “Arista CLI” means the command-line interface used with and supported by any  
15 version of EOS.

16        23. “CLI command” means any word or combination of words that is used or  
17 recognized as a command in a command-line interface.

18        24. “NETWORK MANAGEMENT PRODUCT” means any product used to monitor,  
19 configure, or otherwise manage network devices and/or their associated firmware and software,  
20 including without limitation YOUR CiscoWorks Networks Compliance Monitor product and all  
21 device drivers that it supports (or has ever supported), the Tail-f Network Control System (NCS)  
22 and all network element drivers (NEDs) that it supports (or has ever supported), and the Cisco  
23 Network Service Orchestrator (NSO) enabled by Tail-f, and all NEDs that it supports (or has ever  
24 supported).

25        25. “OPEN SOURCING” means making or denoting source code, or portions thereof,  
26 freely available for the use, redistribution, and/or modification by users and/or other developers.

27        26. “STANFORD UNIVERSITY” means The Leland Stanford Junior University,  
28 which is also known in official documents as The Board of Trustees of the Leland Stanford Junior